

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

HOWARD KERSTINE,

Plaintiff,

v.

NINE WEST GROUP INC. and
JONES APPAREL GROUP,

Defendants.

:
:
:
:
:
:
:
:
:
:
:
:
:

CIVIL ACTION NO. C-1-02-080

JUDGE WEBER

November 25, 2003

MOTION TO EXTEND DEADLINE

The defendants, Nine West Group Inc. and Jones Apparel Group, Inc. (sued herein as Jones Apparel Group) (hereinafter "Defendants"), pursuant to the Southern District of Ohio Civil Rule 6.1(b), 7.2 and 7.3, respectfully move the Court for an extension of time to file Requests for Jury Instructions, Special Verdict Form and Trial Exhibits. Specifically, Defendants request one additional day to submit these items, which are currently due November 25, 2003. After the one-day extension, these items will be due November 26, 2003.

Defendants make this request because the parties' discussions regarding trial exhibits and proposed applicable propositions of law have delayed Defendants' counsels' final compilation of exhibits and their formulation of appropriate proposed Jury Instructions and Special Verdict Form.

This is Defendants' first request to extend this deadline.

**ORAL ARGUMENT IS NOT REQUESTED
TESTIMONY IS NOT REQUIRED**

Defendants' counsel has advised Plaintiff's counsel of this motion and has made diligent efforts to ascertain Plaintiff's counsel's position regarding this motion, but has not yet been able to do so.

WHEREFORE, Defendants respectfully request an extension of time for filing Requests for Jury Instructions, Special Verdict Form and Trial Exhibits to November 26, 2003.

Respectfully submitted,

DEFENDANTS
NINE WEST GROUP INC. and
JONES APPAREL GROUP, INC.

By: s/ Gary L. Greenberg
Gary L. Greenberg (0023180)
DENLINGER, ROSENTHAL
& GREENBERG CO., L.P.A.
2310 U.S. Bank Tower
425 Walnut Street
Cincinnati, Ohio 45202
(513) 621-3440 (Telephone)
(513) 621-4449 (Facsimile)

Trial Attorney for Defendants

OF COUNSEL:
Conrad S. Kee
JACKSON LEWIS LLP
177 Broad Street
P.O. Box 251
Stamford, Connecticut 06904-0251
(203) 961-0404 (Telephone)
(203) 324-4704 (Facsimile)

ORDER

The foregoing Motion having been heard, it is hereby GRANTED/DENIED.

UNITED STATES DISTRICT COURT

DATE